

Prepare a memo to
the judge.the
honorable levon
warner.advocating for
the drug tr...



**ASSIGN
BUSTER**

Memo The Honorable Levon Warner Sentencing Advocate, Community Alternatives to Incarceration May 27, Re: of New York v. Willie Jones

After a thorough examination of the history of Mr. Willie Jones, we believe that his continued incarceration at Rikers Island correctional facilities has not produced the most satisfactory results in solving his drug behavior. Mr. Willie Jones once had a steady job and a happy family. However, due to a various problems and circumstances, he found himself on the streets. In order to earn money to support himself and his child, he turned to drug trafficking. Instead of actually dealing drugs, he began using them himself and eventually became addicted to them. To maintain his habit, Mr. Jones began to commit petty larceny to provide the funds he needed. He was caught and sentenced to Rikers Island for sixty days back in 2008. However, he simply returned to his lifestyle of drugs once he exited the correctional facility. His continuous arrests and repeated removals to Rikers Island have continued since 2008 to the present. His frequent returns to Rikers have proved more harmful than beneficial. By returning to Rikers, Mr. Jones learned more effective ways to commit petty larceny in order to provide himself with drugs. A better alternative to Riker's Detention Center is, we believe, a Drug Treatment Court. The ultimate goal of a drug treatment court is to see those convicted of drug possession completely drug-free. They have greatly expanded and improved in New York City over the last several years. One of the first programs to offer an alternative was the " Drug Treatment Alternative to Prison" (USDEA, 2011). It began in 1990 and has been the scene of helping many drug addicts successfully reenter society and overcome their addictions to drugs to this day (USDEA, 2011). This is just one example of how drug treatment courts work. Drug Treatment Courts

<https://assignbuster.com/prepare-a-memo-to-the-judgethe-honorable-levon-warneradvocating-for-the-drug-treatment-court-in-lieu-of-incarceration-as/>

provide a positive alternative to incarceration. These courts allow the purposes of criminal sanctions to be handled in a more beneficial and cost-effective fashion. Those convicted undergo rehabilitation and perform it within a program that they choose. The responsibility for their recovery and actions are then placed upon them, giving them a greater motivation to complete the program (New York Courts, 2011). Also, drug treatment courts allow opportunities for those convicted to eventually give back to their communities as drug-free citizens. The programs offered require that those going through them adhere to all the rules and policies listed before moving on to the next step (MBTC 2011). Since the programs are set up in a series of achievable goals, those undergoing them are more likely to complete the program and remain drug free (MBTC 2011). In addition to helping people rebuild their lives and become active members of society, a drug treatment court has the advantage of saving the state many millions of dollars each year. It has been estimated that in the almost twenty-three years of its existence, the Drug Law Reform, which enables those convicted of drug possession to be sent to a drug court instead of jail, has saved the state of New York approximately \$1.6 billion dollars (Fischer, 2009). The table below (Table 1) clearly shows the breakdown of cost for both the jail or detention center and the drug treatment court.

Table 1 Cost/Benefit Analysis

Jail/Detention Center	Drug Treatment Court
Cost per year of incarceration	
\$76,229	\$4,000
Welfare	\$9,442
\$0	Shelter system
	\$23,000
	\$12,500
Medicaid	\$4,291
\$0	Total Cost:
\$112,962	\$16,500

(Fellner 2010, MaCurdy, 2008, Bates, 2011, Coalition for the Homeless, 2009) One can easily see the tremendous cost difference between a drug treatment court and prison. The amount that taxpayers are spending per year for my client, who was simply

<https://assignbuster.com/prepare-a-memo-to-the-judgethe-honorable-levon-warneradvocating-for-the-drug-treatment-court-in-lieu-of-incarceration-as/>

convicted of drug possession and petty larceny, is astounding. Not only is the amount of the actual incarceration vastly more, but, when he is out of prison, the cost to the state for welfare and shelters, as well as the Medicaid that his child's mother has to use, is astounding. These funds could instead be used to prepare my client for entry back into society. Based on these figures alone and from a purely monetary viewpoint, drug treatment courts serve as a more sensible and beneficial alternative to jail. In addition to the cost benefits, as already mentioned, the social and psychological benefits that would result from Mr. Jones being placed in a drug treatment court as opposed to a prison are priceless. Sincerely, Student's name

References

Bates, Daniel (April 2011). "Welfare nation: America relying on federal aid more than at any time in history... and New York gets the most." Retrieved from <http://www.dailymail.co.uk/news/article-1380827/Welfare-nation-America-relying-federal-aid-time-history.html#ixzz1Nb64BO10>. Coalition for the Homeless (Jan 2009). "Basic Facts About Homelessness in New York City." Retrieved from https://www.facebook.com/note.php?note_id=59585354040. Fellner, Jamie (December 2010). An Alternative to Pretrial Detention. In *The Price of Freedom* (section 4). Retrieved from <http://www.hrw.org/en/node/94574/section/7>. Fischer, Brian (2009). *Impact of the 2009 Drug Law Reform on Shock Incarceration in New York State*. Albany, New York: New York Government Printing Office. MaCurdy, Thomas, & Jones, Jeffrey (2008). "Welfare." *The Concise Encyclopedia of Economics*. Retrieved from <http://www.econlib.org/library/Enc/Welfare.html>. Misdemeanor Brooklyn Treatment Court (2011). *Misdemeanor Brooklyn Treatment Court Handbook*. Retrieved from http://www.courts.state.ny.us/courts/nyc/drug_treatment/mbtc/publications.shtml. New York Courts <https://assignbuster.com/prepare-a-memo-to-the-judgethe-honorable-levon-warneradvocating-for-the-drug-treatment-court-in-lieu-of-incarceration-as/>

(2011). Drug Treatment Courts. Retrieved from http://www.nycourts.gov/courts/problem_solving/drugcourts/index.shtml. U. S. Drug Enforcement Administration (2011). "What Are Drug Treatment Courts?" Retrieved from <http://www.justice.gov/dea/ongoing/treatment.html>.